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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,941	07/11/2003	Hirohide Tachikawa	03500.017468.	3020
5514	7590	10/26/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			DINH, MINH	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/616,941	TACHIKAWA, HIROHIDE	
	Examiner	Art Unit	
	Minh Dinh	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/09/03</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

**DETAILED ACTION**

1. Claims 1-15 have been examined.

***Specification***

2. The abstract of the disclosure is objected to because it is not limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

***Claim Objections***

3. Applicant is advised that should claim 1 be found allowable, claim 9 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Claim 1 recites the limitation "the authentication data" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim. For examination purpose, the limitation is interpreted as "authentication data". Claims 2, 11 and 13-15 are rejected on the same basis. Claims that are not specifically addressed are rejected by virtue of their dependency.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 2, 6-7, 11-12 and 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by "Specification of the Bluetooth System" (hereinafter "Bluetooth Security"). Bluetooth Security discloses a method and system for establishing secure communication between two wireless devices (page 149,

Section 14 - Bluetooth Security). Specifically, Bluetooth Security discloses that wireless device A establishes a first link through a first encrypted communication and sends its encrypted unit key  $K_A$  to wireless device B, the unit key  $K_A$  being encrypted using the initialization key  $K_{init}$  shared between A and B. After transmission, key  $K_A$  is served as link key  $K_{AB}$  shared between A and B (page, 154-155, Section 14.2.2.3 - Generation of a unit key).

Bluetooth Security further discloses that the link key is used in subsequent communication between the two devices for mutual authentication and encryption if authentication is successful (page 151, Section 14.2.1 - Key types; Section 14.2.2.2 - Authentication). The link key is authentication data.

8. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Nessett et al. (6,920,559). Nessett discloses a method and system for establishing secure communication between two wireless devices, an access point device and a client (Abstract).

Regarding claims 1-6, 9, 11 and 13-15, Nessett discloses that a wireless access point device establishes a first link through a first encrypted communication and sends a key lease to wireless client, the key lease being encrypted using a key shared between the two devices (figures 2, 4A and corresponding text). After transmission, the key lease is used for

authentication and encryption, if authentication is successful, in subsequent communication between the client and the access point (figures 4B-C and corresponding text).

Regarding claims 3-4, Nessett further discloses that the access point connects to more than one clients but the key lease is generated for and sent to only one client operated by a specific user (col. 5, lines 53-57; col. 7, lines 27-32).

Regarding claim 5, Nessett further discloses that the access point connects to more than one clients but the key lease is generated for and sent to only one client having a specific address (col. 5, lines 53-57; col. 7, lines 17-19; col. 10, lines 6-10).

Regarding claims 7 and 12, Nessett further discloses that the access point performs authentication (col. 10, line 57 – col. 11, line 19).

Regarding claim 8, Nessett further discloses that the access point generates the key lease (figure 4A, step 409).

Regarding claim 10, Nessett further discloses that the key lease is effective for a fixed period of time (figure 2A, element 274; col. 7, lines 34-45).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,947,725 to Aura

U.S. Patent No. 6,996,714 to Halasz et al.

U.S. Patent No. 7,020,456 to Smeets et al.

U.S. Patent No. 7,024,553 to Morimoto

U.S. Patent Application Publication No. 2002/0174335 to Zhang et al.

U.S. Patent Application Publication No. 2003/0095663 to Nelson et al.

U.S. Patent Application Publication No. 2003/0152235 to Cohen et al.

Park et al., "Security Protocol for IEEE 802.11 Wireless Local Area Network"

Salli et al., "Security Design for a New Wireless Local Area Network TUTWLAN"

Uskela, "Security in Wireless Local Area Networks"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

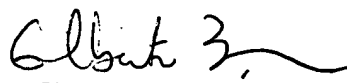
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD

Minh Dinh  
Examiner  
Art Unit 2132

MD  
10/23/06

  
GILBERTO BARRON JR  
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